

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

JIMMIE SMITH

PLAINTIFF

v.

Civil No. 04-4133

JO ANNE B. BARNHART,
Commissioner, Social
Security Administration

DEFENDANT

JUDGMENT

Comes now the Court on this 26th day of October, 2005, in accordance with the Memorandum Opinion filed in the above styled case on today's date, and hereby considers, orders and adjudges that the decision of the Commissioner of Social Security is reversed and this matter is remanded to the Commissioner, pursuant to sentence four, *42 U.S.C. § 405(g)*, for further consideration consistent with the Memorandum Opinion.

Counsel is reminded that, in view of the United States Supreme Court decision, *Shalala v. Schaefer*, 113 S.Ct. 2625, 125 L.Ed.2d 239 (1993), a petition for attorney's fees under the Equal Access to Justice Act must be filed within 30 days from the date this Judgment becomes final.

IT IS SO ORDERED.

/s/Bobby E. Shepherd
Honorable Bobby E. Shepherd
United States Magistrate Judge